

AMENDED IN ASSEMBLY AUGUST 24, 1998

AMENDED IN ASSEMBLY JULY 27, 1998

AMENDED IN SENATE MAY 12, 1998

AMENDED IN SENATE MARCH 23, 1998

SENATE BILL

No. 1676

Introduced by Senator Kopp

*(Coauthors: Assembly Members Alquist, Cunneen, Davis,
Keeley, Martinez, Ortiz, Papan, and Woods)*

February 17, 1998

An act to add Section 12209.6 to the Business and Professions Code, relating to weights and measures.

LEGISLATIVE COUNSEL'S DIGEST

SB 1676, as amended, Kopp. Weights and measures: county sealers: parking meters.

Existing law imposes various requirements on county sealers relating to the calibration, testing, weighing, and certification of accuracy of noncommercial weights and measures and weighing and measuring devices, instruments, tools, and accessories connected therewith.

This bill would authorize a county sealer to test and certify the accuracy of all ~~city-owned~~ parking meters ~~in any city~~ located in the county in which the sealer has jurisdiction, *including, but not limited to, parking meters owned or operated by a city, county, or a city and county.*

The bill would require the county sealer, if he or she determines that a specific parking meter is inaccurate, to

notify the owner or operator of the parking meter. The bill would authorize the county sealer, if the owner or operator of the parking meter fails to replace or repair the meter within 30 days from the date of notification of the meter's inaccuracy, to close the meter and permit any person to park a vehicle free of charge in the parking space to which the inaccurate meter corresponds, until such time that the owner or operator replaces or repairs the inaccurate parking meter. By imposing new duties on local governments with respect to determining the accuracy of parking meters within the local governments' jurisdiction, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12209.6 is added to the Business
2 and Professions Code, to read:

3 12209.6. (a) A county sealer may test and certify the
4 accuracy of all ~~city-owned parking meters of any city~~
5 *parking meters* located in the county in which the sealer
6 has jurisdiction, *including, but not limited to, parking*
7 *meters owned or operated by a city, county, or a city and*
8 *county.*

9 (b) *If the county sealer determines that a specific*
10 *parking meter is inaccurate, the sealer shall notify the*
11 *owner or operator of the meter. If the owner or operator*
12 *fails to replace or repair the meter within 30 days from the*
13 *date of notification of the meter's inaccuracy, the sealer*
14 *may close the meter, and any person may park a vehicle*
15 *free of charge in the parking space to which the*
16 *inaccurate meter corresponds until such time that the*



1 owner or operator replaces or repairs the inaccurate
2 parking meter.

3 (c) For purposes of this section, an “inaccurate
4 parking meter” means a parking meter that provides less
5 time than is paid for by a person using the metered
6 parking space.

7 SEC. 2. No reimbursement is required by this act
8 pursuant to Section 6 of Article XIII B of the California
9 Constitution because a local agency or school district has
10 the authority to levy service charges, fees, or assessments
11 sufficient to pay for the program or level of service
12 mandated by this act, within the meaning of Section 17556
13 of the Government Code.

14 Notwithstanding Section 17580 of the Government
15 Code, unless otherwise specified, the provisions of this act
16 shall become operative on the same date that the act
17 takes effect pursuant to the California Constitution.

